

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

MMCA GROUP, LTD.,

No. C-06-7067 MMC

Plaintiff,

v.

**ORDER GRANTING MOTIONS TO
DISMISS DEFENDANTS RODOLFO
DIAZ, WARREN ROTHER, ROBERT
COZZOLINA, AND LUIS ORTEGA FOR
LACK OF PERSONAL JURISDICTION;
VACATING HEARING**

HEWLETT-PACKARD COMPANY, et al.,

Defendants.

(Docket Nos. 38, 42, 46, 50)

Before the Court are four separate motions, each filed January 29, 2007, to dismiss, respectively, defendants Rodolfo Diaz, Warren Rother, Robert Cozzolina, and Luis Ortega, for lack of personal jurisdiction. Plaintiff MMCA Group, Ltd. has filed a single consolidated opposition to the motions; the moving defendants have filed separate replies. Having considered the papers filed in support of and in opposition to the motions, the Court finds the matters appropriate for resolution without oral argument, hereby VACATES the June 8, 2007 hearing, and rules as follows.

For the reasons set forth by defendants, and for the reasons set forth by Magistrate Judge Edward Chen in his order of May 8, 2007 denying plaintiff's motion for leave to take jurisdictional discovery, plaintiff has failed to set forth a prima facie case of personal jurisdiction with respect to any of the moving defendants. See Schwarzenegger v. Fred Martin Motor Co., 374 F.3d 797, 800 (9th Cir. 2004) (internal quotation and citation omitted)

1 (holding where "motion is based on written materials rather than an evidentiary hearing, the
2 plaintiff need only make a prima facie showing of jurisdictional facts").

3 Accordingly, the motions to dismiss are hereby GRANTED, and all claims asserted
4 against defendants Rodolfo Diaz, Warren Rother, Robert Cozzolina, and Luis Ortega, are
5 hereby DISMISSED.

6 Plaintiff's request, in its opposition, for leave to amend its claims against such
7 defendants is hereby DENIED, as plaintiff has not set forth any facts, with respect to any of
8 such defendants, that would cure the above-noted deficiency.

9 This order terminates Docket Nos. 38, 42, 46, and 50.

10 **IT IS SO ORDERED.**

11 Dated: June 4, 2007


MAXINE M. CHESNEY
United States District Judge

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